IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

COMPANY APPLICATION No. 500 of 2006
In
COMPANY PETITION No. 205 of 1996

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

==========

1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

==========

ASGARALI JAMALUDDIN - Applicant(s)
Versus
O.L. OF AHMEDABAD NEW COTTON MILLS. A UNIT OF G.S.T.C. & 2 - Respondent(s)

==========

Appearance :
MR TR MISHRA for Applicant(s) : 1,MR UT MISHRA for Applicant(s) : 1,
OFFICIAL LIQUIDATOR for Respondent(s) : 1,
MR.HIREN M MODI for Respondent(s) : 1,
NOTICE SERVED for Respondent(s) : 2,
NOTICE NOT RECD BACK for Respondent(s) : 3,

==========

CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 20/11/2006

ORAL JUDGMENT

By way of this Judges summons, the applicant, -

workman of Ahmedabad new Cotton Mills Ltd, a unit of G.S.T.C. (in liquidation), has prayed for an appropriate order directing the Official Liquidator of Ahmedabad new Cotton Mills Ltd to pay an amount of Rs.25000/- along with the cost of Rs.250/- as ordered by the Presiding Officer, Labour Court No.10, Ahmedabad in Recovery Application No.693 of 1997.

Pursuant to the notice issued by this Court, the Official Liquidator of Ahmedabad new Cotton Mills Ltd, a unit of G.S.T.C. (in liquidation) in its report dated 10-10-2006 submitted that they may be permitted to forward the claim of the applicant to the Chartered Accountant for verification of the same in consultation with the GIDC and the State Government through the Secretary, Industries and Mines Department.

Considering the same and the claim lodged by the applicant, it will be in the fitness of things to permit the Official Liquidator to forward the claim of the applicant to the Chartered Accountant for verification of the same in consultation with the GIDC and the State Government through the Secretary, Industries and Mines Department and get the claim of the applicant verified. The said exercise be completed within a period of three months from the date of receipt of this order. If, it is

found that the applicant is entitled to any amount, in that case, the applicant be informed accordingly and accordingly the applicant and/or the Official Liquidator to submit fresh report to consider the claim of the applicant along with other workers of the company in liquidation, so that appropriate order can be passed.

With this, the present application is disposed of. No costs.

(M.R.SHAH,J.)

shekhar/-